

### **REMARKS**

Claims 3-16, 19-26 and 29-37 are pending in the present application. Claims 1-2, 17-18 and 27-28 are canceled. Claims 35-37 are amended to independent form including all of the limitations of the base claim. Additionally, claim 35 is amended by replacing "A method" with "A method in a data processing system" to clarify that the steps of claim require technology. Claims 3-16 are amended to change their dependency to independent claim 35. In addition, claims 19-26 are amended to change their dependency to independent claim 36. Finally, claims 29-34 are amended to change their dependency to independent claim 37. Reconsideration of the claims is respectfully requested.

#### **I. Allowable Subject Matter**

The Office Action states that claims 36 and 37 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, claims 36 and 37 have been rewritten to overcome this objection. Thus, Applicants respectfully submit that claims 36 and 37 are now in condition for allowance. Additionally, since claims 19-26 and 29-34 depend from independent claims 36 and 37, respectively, Applicants respectfully submit that claims 19-26 and 29-34 are also in condition for allowance.

#### **II. 35 U.S.C. § 101**

The Office Action rejects claims 1, 3-17, 19-27 and 29-35 under 35 U.S.C. § 101 as being allegedly directed to non-statutory subject matter. This rejection is respectfully traversed.

The Office Action states that claims 1, 5-7, 9-17, 19, 20, 23, 26, 27, 29-31, 34 and 35 are not within the technological arts because the steps of these claims can be performed by hand and do not require any technology. In addition, the Office Action states that claims 3, 4, 8, 21, 22, 24, 25, 32 and 33 recite a nominal use of technology and are also deemed to be non-statutory.

Claim 35 recites similar subject matter as claims 36 and 37. The Office Action recites the following statement of reasons for the indication of allowable subject matter in claims 36 and 37:

Claims 36 and 37 are directed to a system and program for evaluating a product that uses data from a product token and data from a receipt token to automatically populate fields in an electronic evaluation form. The cited prior art does not teach using two specific sources of data (i.e. product token and receipt token) to automatically enter information into an electronic form.

Office Action dated December 1, 2004, page 3.

Claim 35 is a method claim, which recites that the product evaluation form is an electronic form and entering the receipt purchase information further comprises automatically populating fields in the electronic form with the receipt purchase information. Further, claim 35 is amended to recite “A method in a data processing system” to clarify that technology is required to perform the steps of the claim. Applicants respectfully submit that claim 35 is directed to statutory subject matter and also contains the allowable subject matter and is now in condition for allowance.

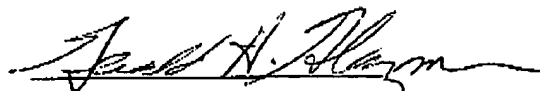
The dependency of claims 3-16, 19-26 and 29-34 is changed to depend on claims 35, 36 and 37, respectively. Thus, claims 3-16, 19-26 and 29-34 are allowable at least by virtue of their dependency on claims 35, 36 and 37, respectively. Claims 1, 17 and 27 are canceled. Therefore, the rejection of claims 1, 3-17, 19-27 and 29-35 under 35 U.S.C. § 101 has been overcome. Applicants respectfully request withdrawal of the rejection of claims 1, 3-17, 19-27 and 29-35 under 35 U.S.C. § 101.

**III. Conclusion**

It is respectfully urged that the subject application is patentable over the cited references and is now in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: January 27, 2005

Respectfully submitted,



Gerald H. Glanzman  
Reg. No. 25,035  
Yee & Associates, P.C.  
P.O. Box 802333  
Dallas, TX 75380  
(972) 385-8777  
Attorney for Applicants

GHG/vja